



11-17-05

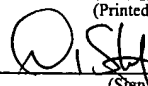
TFW\$

Atty. Dkt. No. 310257-1101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Antje VON SCHAEWEN

Title: PLANT GNTI SEQUENCES AND
THE USE THEREOF FOR THE
PRODUCTION OF PLANTS
HAVING REDUCED OR
LACKING N-ACETYL
GLUCOSAMINYL
TRANSFERASE I (GNTI)
ACTIVITY

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| CERTIFICATE OF EXPRESS MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| EV 643731321 US | 11-15-05 |
| (Express Mail Label Number) | (Date of Deposit) |
| Laura M. DiStefano | |
| (Printed Name) | |
|  | |
| (Signature) | |

Appl. No.: 10/615,144

Filing Date: 7/9/2003

Examiner: Goldberg, Jeanine Anne

Art Unit: 1634

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to Restriction Requirement for filing in the above-identified application.

☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

☐ Assertion of Small Entity status is enclosed.

☒ The fee required for additional claims is calculated below:

| Claims As | Previously Paid For | Extra Claims | Rate | Additional Claims Fee |
|--------------|------------------------|-----------------|------|--------------------------|
|--------------|------------------------|-----------------|------|--------------------------|

| | Amended | | | | Present | | | | |
|------------------------------------------------------|---------|---|----|---|---------|---|----------|---|--------|
| Total Claims: | 6 | - | 20 | = | 0 | x | \$50.00 | = | \$0.00 |
| Independent Claims: | 3 | - | 3 | = | 0 | x | \$200.00 | = | \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | | | | + | \$360.00 | = | \$0.00 |
| CLAIMS FEE TOTAL | | | | | | | | = | \$0.00 |

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | |
|------------------------------------------------------------------------------------------|------------|------------|
| <input type="checkbox"/> Extension for response filed within the first month: | \$120.00 | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the second month: | \$450.00 | \$0.00 |
| <input checked="" type="checkbox"/> Extension for response filed within the third month: | \$1,020.00 | \$1,020.00 |
| <input type="checkbox"/> Extension for response filed within the fourth month: | \$1,590.00 | \$0.00 |
| <input type="checkbox"/> Extension for response filed within the fifth month: | \$2,160.00 | \$0.00 |
| EXTENSION FEE TOTAL: | | \$1,020.00 |
| <input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d): | \$130.00 | \$0.00 |
| CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL: | | \$1,020.00 |
| <input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above): | | \$0.00 |
| TOTAL FEE: | | \$1,020.00 |

☐ Please charge Deposit Account No. 50-0872 in the amount of \$1,020.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$1,020.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge

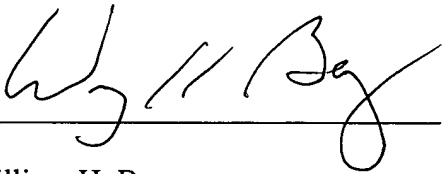
the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 11/15/05

FOLEY & LARDNER LLP
Customer Number: 38706
Telephone: (650) 251-1124
Facsimile: (650) 856-3710

By 

William H. Benz
Attorney for Applicant
Registration No. 25,952

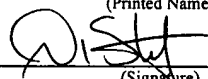


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Appl. No.: 10/615,144

Filing Date: 7/9/2003

Examiner: Goldberg, Jeanine Anne

Art Unit: 1634

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Office Action mailed July 15, 2005.

Restriction has been imposed among five groups of claims. We elect group I.

Restriction has also been imposed among three DNA sequences. We elect sequence I.D. No. 3 subject to the following traverse. While the Examiner's presumption that the sequences in I.D. No.s 1, 3 and 5 differ from one another certainly is correct, that does not require the PTO to impose restriction. In this case transforming constructs relating to each of these three sequences can be used so long as they have the property of reducing or eliminating N-acetyl glucosaminyl transferase I activity or a part thereof. This common property should make it reasonable to

consider constructs with respect to all three species (that is the species of sequence I.D. No.s 1, 3 and 5) together. Such action is requested.

Respectfully submitted,

Date Nov 15 '05

By W H Benz

FOLEY & LARDNER LLP
Customer Number: 38706
Telephone: (650) 251-1124
Facsimile: (650) 856-3710

William H. Benz
Attorney for Applicant
Registration No. 25,952